

WEBB COUNTY, TEXAS COMMISSIONERS COURT AGENDA

LOUIS H. BRUNI Webb County Judge

(956) 523-4600

FRANK SCIARAFFA Commissioner, Precinct 1 (956) 523-4660

JUDITH G. GUTIERREZ Commissioner, Precinct 2 (956) 523-4624

JERRY GARZA Commissioner, Precinct 3 (956) 523-4625

CINDY CORTEZ BRUNNER Commissioner, Precinct 4 (956) 523-4652

MARGIE IBARRA Webb County Clerk (956) 523-4251

HOMERO RAMIREZ Webb County Attorney (956) 523-4044

LEO FLORES Webb County Auditor (956) 523-4016

PUBLIC NOTICE

COMMISSIONERS COURT MEETING
Webb County Courthouse
1000 Houston Street, 2ND Floor
Laredo, Texas 78040
November 14, 2005 at 1:00 p.m. and continuing
November 15, 2005
1:00 p.m.

- 1. Call to order by the Honorable County Judge, Louis H. Bruni
- 2. Roll call by the Honorable County Clerk, Margie Ibarra
- 3. Pledge of Allegiance
- 4. Approval of Minutes September 26, 2005
- 5. Approval of Bills, Payroll and Monthly Reports
- 6. Communications
- 7. Public Comment- This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

HONORABLE LOUIS H. BRUNI, WEBB COUNTY JUDGE

- **8.** Discussion and possible action to instruct the purchasing agent to solicit requests for proposals for an engineering firm to evaluate and recommend modifications to the Webb County Lake Casa Blanca dam, and any other matters incident thereto.
- **9.** Discussion and possible action to direct the Webb County Purchasing Agent to solicit requests for proposals for the possible sale of the Webb County Detention Center.
- **10.** Report by treasure's office on the receipt by Webb County of oil and gas reports from oil and gas companies regarding oil/gas wells on Webb County School lands, total royalty checks for the same, with discussion and possible action to request a comprehensive compilation of such information for presentation to the court.
- **11.** Status report from All American Ambulance Service LLC., on commencement of air ambulance services for Webb County.
- **12.** Discussion and possible action to award Bid No. 2005-77 "Water Well Project" to Richardson & Dunn, Inc. d/b/a J & S Water Wells for Test Drilling and Production Well on Webb County School Lands to a base depth of 2,800 feet for an approximate amount of \$680,687 for the Engineering.
- 13. Status report on from Watt Beckworth Thompson & Henneman, L.L.P., on the results of initial research on oil and gas wells on Webb County school lands, with discussion and possible action to authorize additional research and case development including, and may be reasonably necessary, allowance for additional payment of legal fees for the same. (Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney))
- **14.** Discussion and possible action to enter into a "Community Partner Memorandum of Agreement" with the Federal Emergency Management Agency for the purpose of producing an updated, digital map for Webb County, and authorizing the Webb County Judge to execute all relevant documents.
- 15. Presentation by Tim Mata, Chairman of "Feast of Sharing".

HONORABLE FRANK SCIARAFFA, COMMISSIONER PCT. 1

16. Discussion and possible action to allow the City of Rio Bravo to dispose of 300-400 used tires at the Webb County Road and Bridge department, and any other matters incident thereto.

HONORABLE JUDITH G. GUTIERREZ, COMMISSIONER PCT. 2

17. Report on meeting with City Manager Larry Dovalina and staff regarding location of the proposed County Morgue in the proximity of the Laredo Medical Center and the University of Texas Health Science Center.

COMMISSIONERS COURT

- 18. Discussion and possible action regarding evaluation, reassignment, duties, discipline, or dismissal of the Management Information Systems Director and any matters incident thereto. [Commissioners Court may meet in closed session pursuant to Texas Government Code Title 5, Subchapter D, §551.074, Personnel Matters. Additionally, the Commissioners Court may confer with their attorney in closed session pursuant to Texas Government Code Title 5, Subchapter D, §551.071 Consultations with Attorney].
- **19.** Discussion and possible action to authorize the use of office space at the Tex-Mex building by the Webb County Chapter of the American Red Cross.

MEDIA BREAK

HONORABLE RICK FLORES, WEBB COUNTY SHERIFF

20. Discussion and possible action to approve the following decrease and increase on the following two (2) slots effective November 14, 200. The salary increases are equal to the salary deceases and the amount of personnel costs budgeted for fiscal year 2005-2006 remain unchanged.

- **21.** Discussion and possible action to accept the following three (3) vehicles by Department of Defense to the Webb County Sheriff's Department Fleet:
 - (1) 1993 Chevrolet Chassis Cab
 - (2) 1994 Chevrolet Ambulance
 - (3) 1993 Chevrolet S10 pick

HONORABLE HOMERO RAMIREZ, WEBB COUNTY ATTORNEY

- 22. Discussion and Possible action to enter into an Amendment 11-01 of contract number 158100 with the Texas Department of Aging and Disability Services to provide home-delivered Meal Services through the Webb County Community Action Agency Meals on Wheels Program and authorizing the County Judge to sign all relevant documents. [Requested by CAA, Account No. 952-4216.
- 23. Discussion and possible action to cancel current THIRTY NINE (39) month lease (July 14, 2003 October 11, 2006) agreement with Southwest Auto-Chlor System, L.P. for one (1) Commercial dishwashing machine and authorizing the County Judge to sign all relevant documents. [Requested by Head Start].
- 24. Discussion and possible action to enter into a one (1) year lease (November 14, 2005 November 13, 2006) agreement with Southwest Auto-Chlor System, L.P. for two (2) Commercial dishwashing machines at a monthly rate of TWO HUNDRED THIRTY-FOUR DOLLARS AND SEVENTY-NINE CENTS (\$234.79) for a total cost of TWO THOUSAND EIGHT HUNDRED SEVENTEEN DOLLARS AND FORTY-EIGHT CENTS (\$2817.48) over the term of the lease, and authorizing the County Judge to sign all relevant documents. [Requested by Head Start].
- 25. Discussion and possible action to enter into contract amendment number one (1) to the rural transportation federal fund grant agreement (No. 515F7136, ed 0504(22)28) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts an increase of TWENTY TWO THOUSAND SIX HUNDRED AND FIVE DOLLARS (\$22,605) to the original grant amount of TWO HUNDRED TWENTY ONE THOUSAND THREE HUNDRED THIRTEEN DOLLARS (\$221,313.00) for a total amount of TWO HUNDRED FORTY THREE THOUSAND NINE HUNDRED EIGHTEEN DOLLARS (\$243,918) for the "EI Aguila" rural mass transportation program and authorizing the County Judge to sign all relevant documents. This Grant will be used to purchase required hardware and software. [Requested by CAA/EI Aguila Transportation, Account No. 980-4205 (EI Aguila Rural Transportation).

- 26. Discussion and possible action to enter into an equipment lease agreement for a thirty-six (36) month period (November 14, 2005 to November 13, 2008) with Office Communications Systems, Inc. for a Toshiba E-Studio 810 Digital Copier and accessories to be located at the Webb County District Attorney's office at a monthly cost of FOUR HUNDRED AND NINETY-ONE DOLLARS AND THIRTY-SEVEN CENTS (\$491.37) for a total of SEVENTEEN THOUSAND SIX HUNDRED AND EIGHTY-NINE DOLLARS AND THIRTY-TWO CENTS (\$17,689.32) over the term of the agreement and authorizing the County Judge to sign all relevant documents. [Requested by District Attorney's Office, Account No. 001-1100-6014 (Equipment Rental)]
- 27. Discussion and possible action to accept one (1) right of way, out of Los Altos Subdivision, one (1) right-of-way out of Tanquecitos II Subdivision, one (1) right-of-way out of Pueblo Nuevo Subdivision, 2 rights-of-way out of Ranchos IV-Los Minerales Annex Subdivision, 2 right-of-way out of Penitas West Subdivision, 4 right-of-way out of Los Centenarios Subdivision and one (1) right-of-way out of Los Mesquites Subdivision, and authorizing the County Judge to sign all relevant documents.
- **28.** Discussion and possible action to enter into Medical Health Services Agreements for Children enrolled in the Webb County Head Start Program for a period of two years, at reduced fees as set forth in the agreements, with the following Service Providers:

Dr. Erik Sloman-Moll, MD - 12/01/2005 through 11/30/2007 Judith Ramos Jordan, MA, LPC, LCDC - 12/01/2005 through 11/30/2007

Dr. Salvador Munoz-Flores, DDS - 12/01/2005 through 11/30/2007

Dr. Marcus D. Hinojosa, OD - 12/01/2005 through 11/30/2007

Dr. Karen Henderson, PhD-11/01/2005-10/31/2007 and authorizing an Exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Requested by Head Start Program, Account No. 903-4208-6218 (Medical/Dental Exam)]

29. Discussion and possible action to enter into Third Party Funding Agreement as Follow:

Hotel Motel Fund:

Border Olympics, Inc	\$8,400.00
Mexican Cultural Institute	\$8,400.00
Laredo Philharmonic Chorale	\$5,000.00

General Fund:

SCAN Matching	\$3,750.00
Bethany House of Laredo, Inc.	\$9,370.00
Crime Stoppers of Laredo	\$1,500.00

and authorizing the County Judge to execute all relevant documents

- 30. Discussion and possible action to enter into an interlocal agreement with Zapata County to fund the cash match portion of the Edward Byrne Memorial Justice Assistance Grant which funds the District Attorney's Multi-Agency Task Force in the amount of FOUR HUNDRED AND FOUR THOUSAND NINE HUNDRED AND FORTY DOLLARS (\$404,940.00) with Webb County's obligation being TWO HUNDRED AND SIXTY FOUR THOUSAND ONE HUNDRED AND SEVENTY-FIVE DOLLARS (\$264,175.00) and authorizing the County Judge to execute all relevant documents. [Requested by the DA's Multi-Agency Narcotics Task Force, Account No: 297-1100-3532 (Cash Match)]
- 31. Discussion and possible action to enter into a two (2) year (November 14, 2005 to November 13, 2006) "Service Contract for Monitoring Agreement" with ProFire Protection, Inc. to provide fire alarm detection services at the La Ladrillera Food Center at a semi-annual cost of ONE HUNDRED AND THIRTY-TWO DOLLARS (\$132.00) for a total of TWO HUNDRED AND SIXTY-FOUR DOLLARS (\$264.00) over the term of the agreement and a one-time cost of TWO THOUSAND FIVE HUNDRED AND THIRTY-FOUR DOLLARS (\$2,534.00) for the Installation, Design and Permit for a total cost of TWO THOUSAND SEVEN HUNDRED AND NINETY-EIGHT DOLLARS (\$2,798.00) and authorizing the County Judge to execute all relevant documents. [Requested by Purchasing Department, Account No. 001-0109-6004 (Communications)]
- **32.** Discussion and possible action regarding <u>Guillermo Garcia v. Webb County</u>; Texas Workforce Commission Civil Rights Division Complaint No. 1A60002-S; EEOC Complaint No. 31CA600011, including possible authorization for Office of the Webb County Attorney to agree to mediate and resolve above-referenced claim.

ECONOMIC DEVELOPMENT

- **33.** Discussion and possible action to create and fill a temporary full-time grant position (File Clerk) at \$8.25 an hour to be paid for by grant funds, effective November 15, 2005. (Acct. # 465-4302-5001).
- **34.** Discussion and possible action to accept the Contract for Deed Contract (HOME Program Contract # 1000568) between Webb County and the Texas Department of Housing and Community Affairs (TDHCA) in the amount of \$520,000.00 (Five hundred twenty thousand dollars) for Contract for Deed conversion with Housing Rehabilitation to assist nine (9) homeowners, and to designate the County Judge to sign all relevant documents.
- **35.** Discussion and possible action to cancel Rehabilitation Contract with Two Sons Construction and use 10% retainage remaining at liquidated damages. Grant funds do not affect general fund.
- **36.** Discussion and possible action to pay the Final Payment Request to Closner Construction for the water lines improvements to the Self-Help Center complex in the amount of \$17,350.00 (Seventeen Thousand Three Hundred Fifty dollars and no cents). (Account # 679-8105-8103).

ENGINEER

- **37.** Discussion and Possible Action Authorizing the Engineering Department to fill Vacant Position, Slot # 2245, Assistant Secretary at a salary of \$10.48 per hour.
- **38.** Discussion and Possible Action Authorizing Change Order No. 4 in the amount of \$31,816.83, increasing the contact price from \$1,567,592.96 to \$1,599,409.79 and adding 125 days to the construction contract to Jimmy Closner Construction Company for the TWDB-EDAP El Cenizo Water Line Replacement.
- **39.** Discussion and Possible Action Authorizing Change Order No. 5 to Closner Construction, Inc. Increasing the Contract by \$73,929.00 from \$1,141,626.55 to \$1,215,555.55, and increase in time of 160 days. This Change Order is due to the installation of seven pressure reducing valves and two gate valves. This is for the water line replacement Texas Water Development Board-Economically Distressed Areas Program Project.

- **40.** Discussion and Possible Action Authorizing Change Order No. 5 to Ramos Industries, Inc. in the amount of \$18,744.50, increasing the Contract price from \$1,391,873.00 to \$1,410,617.50 for the TWDB-EDAP Waste Water Collection System project on the north side of El Cenizo.
- **41.** Discussion and Possible Action Authorizing to amend Funds 610, 648 and 649 of the Texas Water Development Board-Economically Distressed Areas Program (TWDB-EDAP) Budget by transferring funds from accounts that will have no activity and have a balance to the "Construction (8006-8801-11)" and "Engineer Construction Phase (8006-6023-7)" accounts (See Attachment). This is subject to the TWDB's approval.

FACILITIES

- **42.** Discussion and possible action authorizing the Facilities Department to fill vacant position, Slot #2236 Clerk, at an hourly rate of \$10.55 and to change the title from Clerk to Locksmith.
- **43.** Discussion and possible action to fill custodian slot # 037 at \$8.60 per hour and charge to account # 001-0106-5001 payroll.
- **44.** Discussion and possible action to approve the installation of 1,200 linear feet of bird deterrent electric jolt track and two solar charges at the Administration Building at a cost of \$ 13,100.00 and to charge this expenditure to the Repairs and Maintenance of Buildings Account 001-0106-6401

PLANNING

45. Discussion and possible action to approve a cellular phone with usage of 500 monthly minutes for Mr. Jorge Calderon, Planning Department Inspector.

PUBLIC DEFENDER

46. Discussion and possible action to fill slot #2085 Assistant Public Defender with a yearly salary of \$61,441.00.

PURCHASING

- **47.** Discussion and possible action to approve the evaluation/selection committee for the Youth Village Project:
 - 1) County Attorney Honorable Homero Ramirez/Mr. Nathan Bratton
 - 2) Executive Administrator, Carlos Villarreal
 - 3) Chief of Staff, Mr. Raul Casso
 - 4) County Auditor, Mr. Leo Flores
 - 5) County Engineer, Mr. Tomas Rodriguez, P.E.
 - 6) Purchasing Agent, Eloy Ramirez, Jr.
 - 7) Project Architect, Mr. Frank Rotnosky
- **48.** Discussion and possible action to award the following bids:

a. Manuel Rivera	AA Builders	\$49,130 2006-02
b. Claudia Picasso	A1 Construction	\$46,500 2006-03
c. Dolores Valdez	A1 Construction	\$46,500 2006-04
d. Maria F. Martinez	High & Mighty LLC	\$31,564 2006-05
e. Rosa De Leon	High & Mighty LLC	\$41,573 2006-06
f. Manuel Rivera	A1 Construction	\$32,350 2006-07

- **49.** Discussion and possible action to approve Request for Competitive Sealed Proposal procedures for the Webb County Youth Village Project, New Juvenile Center, Laredo, Texas and the advertising dates.
- **50.** Discussion and possible action to authorize the Purchasing Agent to lease purchase a digital copier in the amount of \$294.00 per mo. for 36 months for the Treasurer's Department. ACCT.: 001-0300-6402 Repairs & Maint. Equipment and 001-0300-6014 Equipment Rental.
- **51.** Discussion and possible action to award the bid sale of video equipment to Dario Gomez in the amount of \$53.00, pursuant to: subchapter d. Disposition of salvage or surplus property, section 263.151 thru 263.158, Texas local government code. Revenue acc # 001-0300-3729.
- **52.** Discussion and possible action to approve the Request for Qualifications for a Public Information Officer for Commissioners Court.
- **53.** Discussion and possible action to authorize the purchase of power conditioners for the audio/video equipment for M.I.S. department in the amount of \$17,985.00 from Texas Media Systems, Inc. ACCT. NO. 001-0500-6411 (Repairs and Maint. Software).

- **54.** Discussion and possible action to terminate the housing rehabilitation contract with Two Sons Construction for the home of Clarita Ramos, 1733 Patricia lane, Rio bravo, Texas for failure of the contractor to complete the work specified with the allotted time period. (Webb County-Self Help Department).
- **55.** Discussion and possible action to approve a purchase order contract for a-1 construction in the amount of \$ 10,460.00 to complete the housing rehabilitation contract for the home of Clarita Ramos, 1733 Patricia Lane, Rio Bravo, Texas (Webb County-Self Help Department).
- **56.** Discussion and possible action to authorize a purchase contract to repair and expand the existing filing system for the district attorney's office from records systems, Inc. In the amount of \$12,142.07. Acct. No. 1690-1100-6224 (minor tools and apparatus); acct. No. 169-1100-8408 (office supplies)
- **57.** Discussion and possible action to dispose, of one shredder model, Cummings 1400 series from the records management, management information department for the sale to Boston paper company in the amount of \$700.00. Pursuant to: subchapter d. Disposition of salvage or surplus property, section 263.151 thru 263.158, Texas local government code.
- **58.** Discussion and possible action to authorize the purchase of one (1) additional vehicle for the sheriff's department in the amount of \$21,987.15 from Philpott Motors, LLC., from capital outlay account number 660-2001-8801 (\$14,278.00) and forfeiture account number 170-2001-8801 (\$7,709.15).

RISK MANAGEMENT

- **59.** Discussion and possible action to fill slot #873, Administrative Assistant, at a salary of \$15.46 per hour.
- **60.** Discussion and possible action to accept a proposal from Professional Actuarial Services, Inc. for the Actuarial Report of Webb County's Self funded Workers' Compensation Program as of September 30, 2005. Requesting an exemption from Section 262.023 of Local Government Code (Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. (Account #817-015-6022 Professional Services)

ROAD & BRIDGE

61. Discussion and possible action authorizing Dept. 7002, Road & Bridge to fill the following slots:

Slot 2116 Truck Driver @ 10.97 per hour

Slot 0673 Maintenance Aide @ 9.15

EXECUTIVE SESSION

- 62. Discussion and possible action regarding the recommendation of the Webb County Employee Grievance Committee concerning the grievance of former Management Information Systems employee, Juan E. Rico. Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters).
- 63. Discussion and possible action to ratify the engagement of Mr. Jim Allison of Allison Bass and Associates in Cause No. 2005-C1-17075, Holt Texas Ltd. et al. vs Crouch/KST Enterprises, Ltd., Sattrerfield and Pontikes Construction, Inc, and Webb County in the 73rd Judicial District Court, Bexar County, Texas and to continue said representation on matters associated with and incident to said litigation and the Webb County Regional Water Plant. [Commissioners Court may confer with their attorney in closed session pursuant to Texas Government Code Title 5, Subchapter D, §551.071 Consultations with Attorney].
- 64. Discussion and possible action to modify employee health insurance coverage or to otherwise authorize payment of medical and related expenses for gastric bypass surgery, a procedure currently not covered under Webb County's employee health insurance plan. (Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)
- **65.** Adjournment

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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5 DISABILITY	ACCESS S	STATEME	NT 🕏

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

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DATED THIS	DAY OF NOVEM	BER, 2005.		
By: YOLANDA L. C COURT ADMIN	ARRILLO NISTRATOR	_		
	CERTIFICATION OF	NOTICE AND PO	<u>DSTING</u>	
meeting of the We said notice, and th board at the Court	, County Clerk, do her bb County Commission at I posted a true and house door of Webb (general public at all tin	oners Court, is a t correct copy of s County, Texas, at	true and correct copy aid notice on the bul a place readily	,
	2005 and said notice ceding the scheduled	remained so pos	sted continuously for	at
DATED THIS	DAY OF		, 2005	
COUNTY CLERK,	WEBB COUNTY, TE	XAS		

BY: